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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

BARBARA D. RICHARDSON, in her  
capacity as Receiver of Nevada Health Co-  
Op.,

Plaintiff,

v.

U.S. DEPARTMENT OF HEALTH AND  
HUMAN SERVICES, et al.,

Defendants.

: Case No. 2:17-cv-00775-JCM-PAL

:  
:  
:  
: **STIPULATION FOR AN EXTENSION**  
: **OF TIME TO RESPOND TO THE**  
: **COMPLAINT AND SETTING FORTH**  
: **A PROPOSED BRIEFING SCHEDULE**  
: **FOR THE UNITED STATES'**  
: **FORTHCOMING MOTION TO**  
: **DISMISS THE COMPLAINT**

**STIPULATION TO EXTEND TIME TO RESPOND TO THE COMPLAINT AND  
TO SET A BRIEFING SCHEDULE  
(First Request)**

Pursuant to LR IA 6-1, together, plaintiff, Barbara D. Richardson, in her capacity as Receiver of Nevada Health Co-Op (hereinafter "Richardson" or Plaintiff) and defendants, the United States Department of Health and Human Services, the Centers for Medicare & Medicaid Services, and

1 Dr. Thomas E. Price, in his capacity as Secretary of the Department of Health and Human Services  
2 (hereinafter the “United States” or Defendants) (together, the “Parties”), hereby seek approval of  
3 this Stipulation to (A) extend the time for the Defendants to respond to the Complaint by 30 days  
4 (from May 30, 2017 to June 29, 2017) and (B) set a briefing schedule for the United States’  
5 forthcoming motion to dismiss. This is the first request for an extension of time and the first  
6 request for approval of a stipulated briefing schedule.  
7

8 Plaintiff filed her Complaint on March 16, 2017, and the Defendants’ deadline for  
9 responding to that Complaint is May 30, 2017. This case arises under the Patient Protection and  
10 Affordable Care Act, Pub. L. No. 111-148 (March 23, 2010) (the “Act” or “ACA”) and involves  
11 several technically-detailed provisions of the ACA, jurisdictional issues, and complex issues of  
12 appropriations law. The undersigned counsel represents the United States in over two dozen  
13 related cases, which implicate a total of \$8.3 billion in federal funding for the 2014 and 2015  
14 benefit years, with a likely additional amount yet to be determined for the 2016 benefit year.  
15

16 In light of the nature of the issues presented by this case—and due to the undersigned’s  
17 professional and personal scheduling conflicts from mid-May through June—the United States  
18 respectfully requests a 30-day enlargement of time to respond to the Complaint to June 29, 2017.  
19

20 At that time, the United States intends to file a Motion to Dismiss. If the above extension  
21 request is granted, Plaintiff’s Response to the Motion to Dismiss would be due July 13, 2016 and  
22 Defendants’ Reply would be due July 20, 2017. Due to their respective conflicts over the summer  
23 months (both professional and personal), the Parties concur that 30-day extensions of time from  
24 the dates that would be required by local rule are needed to effectively brief the Response and  
25 Reply to the Motion to Dismiss.  
26  
27  
28

1 Accordingly, the Parties stipulate to the following briefing schedule for the United States  
2 forthcoming Motion to Dismiss:

3 1. Defendants' Motion to Dismiss is to be filed no later than June 29, 2017.

4 2. Plaintiff's Response is to be filed no later than August 14, 2017.

5 3. Defendants' Reply is to be filed no later than September 20, 2017.

6 Dated: May 15, 2017

7 Respectfully submitted:

8 By: /s/ Frances M. McLaughlin  
9 FRANCES M. MCLAUGHLIN  
10 TERRANCE A. MEBANE  
11 United States Department of Justice  
12 Senior Trial Attorney

*Attorneys for the United States*

13 Dated: May 15, 2017

14 Respectfully submitted:

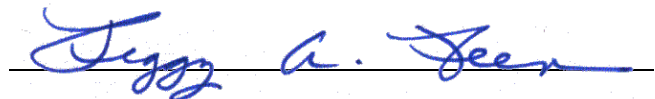
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*Attorneys for Plaintiff Barbara D. Richardson*

22 **ORDER**

23 IT IS SO ORDERED.

24 UNITED STATES DISTRICT JUDGE (or)  
25 UNITED STATES MAGISTRATE JUDGE

26 

27 Dated: May 18, 2017